

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

Criminal No. 19-64 (BRM)

SCHEDULING ORDER

v.

R E C E I V E D

ANDRE ALSTON
a/k/a "Andre Austin,"
a/k/a "Slim"

FEB - 4 2019

AT 8:30
WILLIAM T. WALSH
CLERK

This matter having come before the Court for arraignment; and the United States being represented by Craig Carpenito, United States Attorney for the District of New Jersey (by Michelle Gasparian and Eric Boden, Assistant U.S. Attorneys, appearing); and the Defendant being represented by Scott Krasny, Esq.; and the parties having met and conferred prior to arraignment and having determined that this matter may be treated as a criminal case that does not require extensive discovery within the meaning of paragraph 3 of this Court's Standing Order for Criminal Trial Scheduling and Discovery; and the parties having agreed on a schedule for the exchange of discovery and the filing and argument of pretrial motions; and the Court having accepted such schedule, and for good cause shown,

It is on this 4th day of February, 2019, ORDERED that:

1. The Government shall provide all discovery required by Federal Rule of Criminal Procedure 16(a)(1) on or before **February 15, 2019**.

2. The Government shall provide exculpatory evidence, within the meaning of *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, on or before **February 15, 2019**. Exculpatory evidence that becomes known to the Government after that date shall be disclosed reasonably promptly after becoming known to the Government.

3. The Defendant shall provide all discovery required by Federal Rule of Criminal Procedure 16(b)(1) on or before **February 22, 2019**.

4. The Defendant shall provide any and all notices required by Federal Rules of Criminal Procedure 12.1, 12.2, and 12.3 on or before **February 22, 2019**.

5. A telephone status conference with counsel and the Court will be conducted on **March 11, 2019 at 12:00 p.m.**

6. The following shall be the schedule for pretrial motions in this matter:

a) The Defendant shall file any and all pretrial motions, pursuant to Federal Rules of Criminal Procedure 12(b) and 41(h), in the manner set forth in L. Civ. R. 7.1, on or before **April 1, 2019**;

b) The Government shall file any response to the Defendant's pretrial motions on or before **April 15, 2019**;

c) The Defendant shall file any reply on or before **April 22, 2019;**

d) Oral argument on pretrial motions shall be held on **May 14, 2019 at 10:00 a.m.**

7. The Parties shall provide their respective pre-marked exhibits on or before **May 28, 2019.**

a) The authenticity and chain of custody of either Party's pre-marked exhibits shall be deemed to have been accepted unless an objection is asserted in accordance with paragraph 6(c).

b) If either Party discloses the scientific analysis of an exhibit that it proposes to introduce at trial and that analysis has been determined by an expert in the field of science involved, the scientific analysis of the exhibit shall be deemed to have been accepted unless an objection is asserted in the form set forth in paragraph 6(c).

c) If either Party wishes to contest the authenticity, chain of custody, or scientific analysis of the opposing Party's exhibit, the objecting Party shall file, on or before **June 3, 2019**, a notice that the authenticity, chain of custody, and/or scientific analysis of the exhibit will be contested at trial together with a statement delineating why the authenticity, chain of custody, and/or scientific analysis of the exhibit is being challenged and a certification that the challenge is being made in good faith.

8. If either the Government intends to offer any Rule 404(b) evidence, or the defendant intends to offer any "reverse Rule 404(b)" evidence, the Party intending to offer such evidence shall provide notice of this evidence in the form delineated in Federal Rule of Evidence 404(b)(2)(A) on or before **June 3, 2019**.

9. A final pretrial conference shall be held on **June 3, 2019**.

10. Trial shall commence on ~~June 19, 2019~~, at **9 a.m.**



HON. BRIAN R. MARTINOTTI
United States District Judge